

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:17-CR-391-D-1

UNITED STATES OF AMERICA :
 :
 v. :
 :
 JOHN ANDREW PIPKIN :

ORDER OF FORFEITURE

WHEREAS, pursuant to the entry of a Memorandum of Plea Agreement by the defendant on April 9, 2018, and further evidence of record as presented by the Government, the Court finds that the following property is hereby forfeitable pursuant to 18 U.S.C. § 924(d)(1), made applicable to this proceeding by virtue of 28 U.S.C. § 2461(c), and 21 U.S.C. § 853, to wit:

- a) \$11,030.00, which represents proceeds the defendant obtained directly or indirectly as a result of the offense listed in Count One, and for which the United States may forfeit substitute assets;
- b) A Smith & Wesson SW40VE .40 caliber semi-automatic handgun, serial number RAW7782, and any and all ammunition.

AND WHEREAS, by virtue of said Memorandum of Plea Agreement, the United States is now entitled to possession of said personal property, pursuant to Fed. R. Crim. P. 32.2(b)(3);

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the agreement contained in the Memorandum of Plea Agreement as to the defendant, the United States is hereby authorized to seize the above-stated personal property, and it is hereby forfeited to the United States for disposition in accordance with the law, including destruction, as allowed by Fed. R. Crim. P. 32.2(b)(3);

2. That the defendant shall forfeit \$11,030.00 to the United States as property representing proceeds the defendant obtained directly or indirectly as a result of his offenses, and for which the United States may forfeit substitute assets. Pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure, the United States may move to amend this Order at any time to substitute specific property to satisfy this Order of Forfeiture in whole or in part. Any and all forfeited funds shall be deposited by the U.S. Department of Justice or the U.S. Department of the Treasury, as soon as located or recovered, into the U.S. Department of Justice's Assets Forfeiture Fund or the U.S. Department of the Treasury's Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

3. Upon sentencing and issuance of the Judgment and Commitment Order, the Clerk of Court is DIRECTED to incorporate a

reference to this Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(4)(B). In accordance with Fed. R. Crim. P. 32.2(b)(4)(A), this Order shall be final as to the defendant upon entry.

SO ORDERED. This 27 day of August, 2018.

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~~MALCOLM J. HOWARD~~ TANES C. DEVER III
~~Senior~~ United States District Judge